

REMARKS

The present application includes pending claims 1-32, all of which have been rejected. Claims 1-7, 10-18, 21-25 and 28-30 stand rejected under 35 U.S.C. 102(e) as being anticipated by United States Patent No. 7,065,778 (“Lu”). Claims 8, 9, 19, 20, 26, 27, 31 and 32 stand rejected under 35 U.S.C. 103(a) as being unpatentable over Lu in view of United States Patent No. 6,963,358 (“Cohen”). The Applicants respectfully traverse these rejections for at least the following reasons.

I. Lu Does Not Anticipate Claims 1-7, 10-18, 21-25 And 28-30

Claim 1 of the present application recites “the first and second associated network protocol addresses **representing members of a pre-defined group of users**, where the predefined group of users **is defined based on authorization by a user of the members.**” Lu “relates to the field of utilizing personalized video recorders and other similar types of devices to distribute television programming.” *See* Lu at column 1, lines 7-11. In particular, Lu discloses a system in which a user is able to record a show that is transmitted in another broadcast area. *See id.* at Abstract.

For example, Lu describes the following:

Specifically, personalized video recorder 200 is coupled to the Internet 302 such that it can receive an electronic programming guide (EPG) containing worldwide television programming from an EPG server computer 304. The user of personalized video recorder 200 utilizes the EPG to request delivery of a specific television show that may not be available to him or her. Upon reception of the request from personalized video recorder 200, EPG server computer 304 locates via Internet 302 one or more personalized video recorders... situated within a broadcast region of the requested television show. Subsequently, EPG server computer 304 programs one or more personalized video recorders... to record the requested television show when it is

broadcast by a television content provider.... Once the personalized video recorders... record the television show, one or more of the personalized video recorders may transmit it to EPG server computer 304 which then transmits it to the requested personalized video recorder 200. In this manner, the present embodiment enables personalized video recorder 200 to order and receive specific television shows that are unavailable from its television content provider....

Lu at column 6, lines 39-61. Thus, Lu discloses a system in which a user sends a recording request that is received by a server computer via the Internet. The server computer then arbitrarily finds a recorder within the broadcast region of the show, and then sends the recorded show back to the requesting user. Lu merely discloses that a user of a PVR requests delivery of a specific television show, at which point a server computer arbitrarily locates another PVR in a particular broadcast area to record the show for the requesting PVR.

Lu does not describe, teach, or suggest, however, “first and second associated network protocol addresses **representing members of a pre-defined group of users, where the predefined group of users is defined based on authorization by a user of the members.**” as recited in claim 1. Independent claims 12, 23 and 28 also recite similar limitations. Thus, for at least these reasons, Lu does not anticipate claims 1, 12, 23, 28 or any of the claims that depend therefrom.

The Office Action states, however, the following:

In response to applicant’s argument, in Lu, the user of TV head-end 308 is a subscriber of the EPG service, PVR 200A and 200B are defined to be the predefined group based on authorization of the user TV head-end 308 at the time the user of TV head-end 308 subscribes to the EGP services to allow PVR 200A and 200B to be available for searching and providing recoded [sic] TV show to remote PVRs. Col 6 line 66-Col 7 line 1, figure 3.

See May 4, 2007 Office Action at page 2. Thus, the Office Action relies on Lu at column 6, line

66 to column 7, line 1, and Figure 3 as disclosing a “pre-defined group of users, where the predefined group of users is defined based on authorization by a user of the members.” *See also* May 4, 2007 Office Action at pages 4, 7, and 10-12.

Initially, Lu does not “define” PVR 200A and 200B as a “predefined group based on authorization of the user TV head-end 308” as suggested in the Office Action. Lu simply does not describe the PVRs or the TV head-ends as a predefined group based on authorization by a user of the members.

Further, the portion of Lu relied on in the Office Action recites the following:

Additionally, television head-end 306 is communicatively coupled to personalized video recorder 200 while television head-end 308 is communicatively coupled to personalized video recorders 200A and 200B.

Lu at column 6, line 64 to column 7, line 1. This portion of Lu merely states that the TV head-end 306 is coupled to a PVR 200, while the TV head-end 308 is coupled to PVRs 200A and 200B. This coupling relationship is illustrated in Figure 3 of Lu, which is reproduced below:

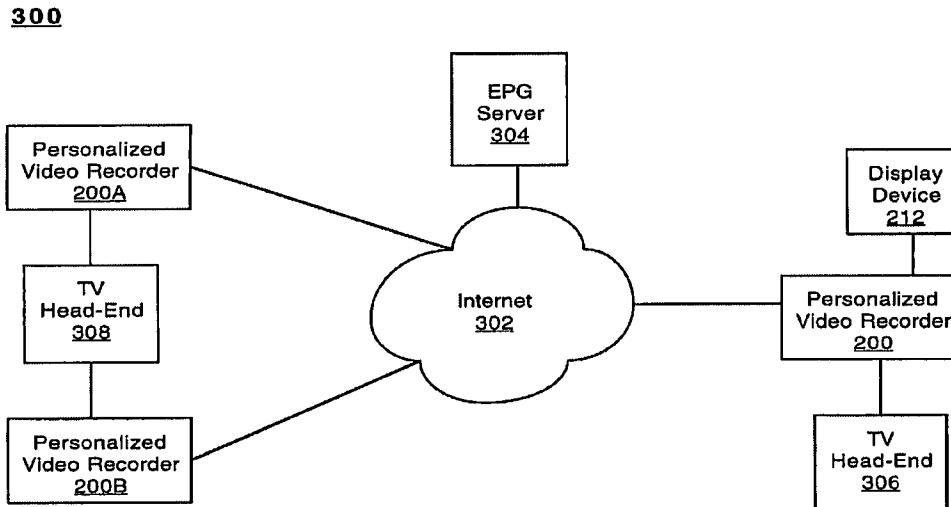


Fig. 3

As shown above, Figure 3 merely illustrates that the TV head-end 306 is coupled to the PVR 200, while the TV head-end 308 is coupled to the PVRs 200A and 200B. The portions of Lu that the Office Action relies on do not describe, teach or suggest, however, “first and second associated network protocol addresses **representing members of a pre-defined group of users, where the predefined group of users is defined based on authorization by a user of the members.**” as recited in claim 1. The fact that a TV head-end 306 is coupled to a PVR 200, and another TV head-end 308 is coupled to PVRs 200A and 200B does not mean that Lu discloses a pre-defined group of users that are defined based on authorization by a user of the members, as recited in the claims. Instead, Lu merely discloses that TV head ends may be coupled to PVRs.

As noted above, Lu describes a system in which a user of a PVR requests delivery of a specific television show, at which point a server computer arbitrarily locates another PVR in a particular broadcast area to record the show for the requesting PVR. However, there is nothing in Lu that describes, teaches or suggests a predefined group of users that is defined based on authorization by a user of the members. Thus, for at least these reasons, the Office Action has not established a *prima facie* case of anticipation with respect to any of the claims of the present application. Indeed, Lu does not anticipate claims 1, 12, 23, 28 or any of the claims that depend therefrom.

II. The Proposed Combination Of Lu And Cohen Does Not Render Claims 8, 9, 19, 20, 26, 27, 31 And 32 Unpatentable

The Applicants next turn to the rejection of claims 8, 9, 19, 20, 26, 27, 31 and 32 as being unpatentable over Lu in view of Cohen. The Applicants respectfully submit that this proposed combination of references does not render claims 8, 9, 19, 20, 26, and 27 unpatentable for at least the reason discussed above.

III. Conclusion

In general, the Office Action makes various statements regarding claims 1-32 and the cited references that are now moot in light of the above. Thus, the Applicants will not address such statements at the present time. However, the Applicants expressly reserve the right to challenge such statements in the future should the need arise (e.g., if such statement should become relevant by appearing in an Examiner's Answer to an Appeal Brief).

The Applicants respectfully submit that the Office Action has not established a prima facie case of obviousness with respect to any of the pending claims for at least the reasons discussed above and request that the outstanding rejections be reconsidered and withdrawn. If the Examiner has any questions or the Applicants can be of any assistance, the Examiner is invited to contact the Applicants. The Commissioner is authorized to charge any necessary fees, or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017.

Respectfully submitted,

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